

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Bôx 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION NO.	
09/400,649	09/21/1999	ANDREW J. SZABO	SZABO-201.1	3645
7590 04/09/2004 MILDE HOFFBERG & MACKLIN LLP COUNSELORS IN INTELLECTUAL PROPERTY LAW SUITE 460 10 BANK STREET			EXAMINER	
			RIMELL, SAMUEL G	
			ART UNIT	PAPER NUMBER
			2175	38
WHILE PLAII	WHITE PLAINS, NY 10606			20

Please find below and/or attached an Office communication concerning this application or proceeding.

		Pfg		
	Application N	Applicant(s)		
Advisory Action	09/400,649	SZABO, ANDREW J.		
	Examiner	Art Unit		
	Sam Rimell	2175		
The MAILING DATE of this communication app	ears on the cover sheet with the c	orrespondence address		
THE REPLY FILED 02 April 2004 FAILS TO PLACE TH Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (1 condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applica) a timely filed amendment which	ation. A proper reply to a h places the application in		
PERIOD FOR RI	EPLY [check either a) or b)]			
a) The period for reply expires 3 months from the mailing dat b) The period for reply expires on: (1) the mailing date of this no event, however, will the statutory period for reply expire ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAY 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offitimely filed, may reduce any earned patent term adjustment. See 37 (c)	Advisory Action, or (2) the date set forth later than SIX MONTHS from the mailing S FILED WITHIN TWO MONTHS OF THE date on which the petition under 37 CF of extension and the corresponding amount the shortened statutory period for replying later than three months after the mail	g date of the final rejection. HE FINAL REJECTION. See MPEP R 1.136(a) and the appropriate extension out of the fee. The appropriate extension originally set in the final Office action; or		
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CF	s Brief must be filed within the pe R 1.191(d)), to avoid dismissal o	eriod set forth in f the appeal.		
2. The proposed amendment(s) will not be entered b	ecause:	.,		
(a) 🛛 they raise new issues that would require furth	er consideration and/or search (s	see NOTE below);		
(b) they raise the issue of new matter (see Note I		,		
(c) they are not deemed to place the application i issues for appeal; and/or	in better form for appeal by mate	rially reducing or simplifying the		
(d) they present additional claims without cancel	ing a corresponding number of fi	nally rejected claims.		
NOTE: The proposed amendment raises new is	sues requiring further consideration	<u>.</u> .		
3. Applicant's reply has overcome the following rejection	tion(s):			
 Newly proposed or amended claim(s) would canceling the non-allowable claim(s). 	l be allowable if submitted in a se	parate, timely filed amendment		
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because:	r reconsideration has been consi	dered but does NOT place the		
6. The affidavit or exhibit will NOT be considered becraised by the Examiner in the final rejection.	cause it is not directed SOLELY to	o issues which were newly		
For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.				
The status of the claim(s) is (or will be) as follows:				
Claim(s) allowed:				
Claim(s) objected to:				
Claim(s) rejected: 29-33, 35-74.				
Claim(s) withdrawn from consideration:				
8. ☐ The drawing correction filed on is a) ☐ app	roved or b) disapproved by the	ne Examiner.		
9. Note the attached Information Disclosure Statemen				
10. Other:	, , , _			

Sam Rimell Primary Examiner Art Unit: 2175